

REMARKS

Claims 1-23 remain pending in the present application.

The Applicant respectfully requests the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1, 4-6, 8, 12, 15, 16, 20 and 23 over Tanaka

In the Office Action, claims 1, 4-6, 8, 12, 15, 16, 20 and 23 were rejected under 35 USC 102(e) as allegedly being anticipated by U.S. Pat. No. 6,542,749 to Tanaka et al. ("Tanaka"), with reliance on provisional applications 60/216,721, 60/214,197, 60/210,691 and 60/210,682 for priority prior to the Applicant's filing date. The Applicant respectfully traverses the rejections.

Claims 1, 4-6, 8, 12, 15, 16, 20 and 23 recite a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices.

The Examiner alleges Tanaka discloses "a reminder application that is triggered when a first mobile unit is in close proximate to a second mobile unit" at col. 7, lines 1-10; col. 14, line 60-col. 15, line 48; col. 17, lines 1-55 (Office Action, page 2).

Tanaka appears to disclose a user of a telecommunications unit that initiates a connection to the closest predetermined number of users within a group (Tanaka, col. 6, lines 55-col. 7, line 10). The closest predetermined users can be downloaded from a PDA (Tanaka, col. 5, lines 57-65). In an alternate embodiment, as described above in Tanaka Provisional, a telephone unit receives a reminder message if within a predetermined distance from a fixed position stored in a database (Tanaka Provisional, col. 13, line 9-col. 15, line 17).

The Examiner points to Tanaka's provisional application no. 60/214,197 ("Tanaka Provisional") page 13, line 9-page 15, line 23.

Tanaka Provisional appears to disclose a set of locations stored in a database (page 13, line 9-10). When a user comes within triggering distance to any of the locations stored in the database, a phone call is automatically

established with a callee associated with that location (Tanaka Provisional, page 13, lines 9-16). Examples of the types of locations that trigger a phone call is particular types of restaurants, coffee shops, snack shops, or other businesses (Tanaka, Provisional, col. 14, lines 21-23). Optionally, the connection can be used to offer inducements to visit a shop or business along the lines of “e-coupons” that are issued responsive to proximity in addition to other information (Tanaka Provisional, page 15, lines 1-3). An automatic reminder phone call can be issued when a user is near enough to a location (Tanaka Provisional, page 15, lines 15-17).

Tanaka discloses a PDA. However, information is never transferred from one PDA to another PDA. Tanaka’s PDA is simply a source of closest predetermined users that is transferred to a telephone unit. Thus, Tanaka disclosing a telephone unit transferring a source of closest predetermined users from a PDA is **NOT** a reminder automatically transferred from a wireless PDA to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Moreover, Tanaka disclosing a reminder message sent to a telephone unit is **NOT** a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Moreover, Tanaka’s reminder message that is sent to a telephone unit in Tanaka is an audio message. The audio message is simply **played** for a listener **NOT transferred** from one device to another, **NOT transferred** from one PDA to another PDA, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

Thus, neither of Tanaka’s embodiments disclose or suggest a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

For at least all the above reasons, claims 1, 4-6, 8, 12, 15, 16, 20 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

Claims 2, 3, 9-11, 14, 17-19 and 22 over Tanaka in view of Erikson

In the Office Action, claims 2, 3, 9-11, 14, 17-19 and 22 were rejected under 35 USC 103(a) as allegedly being obvious over Tanaka in view of U.S. Patent No. 6,622,018 to Erikson ("Erikson"). The Applicant respectfully traverses the rejections.

Claims 2, 3, 9-11, 14, 17-19 and 22 are dependent on claims 1, 8, 12, 16 and 20, and are allowable for at least the same reasons as claims 1, 8, 12, 16 and 20.

Claims 2, 3, 9-11, 14, 17-19 and 22 recite a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices.

As discussed above, Tanaka fails to disclose or suggest a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

The Office Action acknowledges that Tanaka fails to disclose a piconet/bluetooth front end (Office Action, page 4). The Office Action relies on Erikson to allegedly make up for the deficiencies in Tanaka to arrive at the claimed invention. The Applicant respectfully disagrees.

Even if the modification of Tanaka with the teachings of Erikson were obvious (which it is not), the theoretical combination would at best result in a telephone unit transferring a source of closest predetermined users from a PDA over a piconet, **NOT** a reminder automatically transferred from a wireless PDA to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

Neither Tanaka nor Erikson, either alone or in combination, disclose, teach or suggest a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

For at least all the above reasons, claims 2, 3, 9-11, 14, 17-19 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

Claims 13 and 21 over Tanaka in view of Berstis

In the Office Action, claims 13 and 21 were rejected under 35 USC 103(a) as allegedly being obvious over Tanaka in view of U.S. Patent No. 6,650,894 to Berstis et al. ("Berstis"). The Applicant respectfully traverses the rejections.

Claims 13 and 21 are dependent on claims 12 and 20, and are allowable for at least the same reasons as claims 12 and 20.

Claims 13 and 21 recite a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices.

As discussed above, Tanaka fails to disclose or suggest a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 13 and 21.

The Office Action acknowledges that Tanaka fails to disclose a reminder that is an audible alert (Office Action, page 4). The Office Action relies on Berstis to allegedly make up for the deficiencies in Tanaka to arrive at the claimed invention. The Applicant respectfully disagrees.

Even if the modification of Tanaka with the teachings of Berstis were obvious (which it is not), the theoretical combination would at best result in a telephone unit receiving a reminder that is an audible alert NOT from another PDA, as recited by claims 13 and 21.

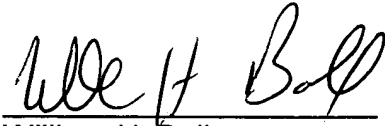
Neither Tanaka nor Berstis, either alone or in combination, disclose, teach or suggest a system and method wherein a reminder is automatically transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 13 and 21.

For at least all the above reasons, claims 13 and 21 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC

2000 M Street, NW 7TH Floor
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336

WHB/df